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June 28, 2011

The Honorable Leonard D. Wexler
United States District Judge
Eastern District of New York
944 Federal Plaza
Central Islip, NY 11722

Re: *Simpson v. County of Suffolk, et al.*
CV 07-4221 (LDW)

Dear Judge Wexler:

The undersigned, counsel to the plaintiff Marvin Simpson, writes to request that the Court order Suffolk County to pay the amount that it agreed to pay, but refuses to pay, following settlement.

On March 3, 2011, following an \$1,800 settlement, the Court "so ordered" the stipulation and order of voluntary dismissal. The county refuses to pay because, states assistant county attorney Brian Mitchell, "The folks in Insurance and Risk Management say they need [Lato's] Tax ID number." I informed Mr. Mitchell that I do not have a tax ID number, that Federal law does not require otherwise and that my social security number--which I provided--is sufficient. Nevertheless, it is the county's position, Mr. Mitchell states, a position that Mr. Mitchell admits that he does not understand, that "a social security number will not suffice."

The county cannot avoid its obligation by requiring me to obtain a federal number that the Federal government does not require me to have. I request that the Court order the county to remit payment to me by July 8, 2011.

Respectfully,

Leonard Lato
Leonard Lato

Brian C. Mitchell, Esq.